

Application No.: 10/810,070

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REMARKS/CONCLUSION

Claims 1-31 are pending in this application. Claims 25-29 have been amended to include grammatical clarification of the original claim language. Accordingly claims 1-31 are currently under consideration. No new matter is believed to have been added.

Response to requirement to elect species

The Examiner stated in the Office Action, mailed Nov. 7, 2005, that the current application contains the following patentably distinct species of the claimed invention: species 1, selecting a value based on characteristics of structures on the substrate; species 2, performing a simulation of planarization of the wafer using characteristics of the chip and a range of values for the properties of the pad; species 3, compensating for pattern density effects.

The Applicants elect species 1 for prosecution on its merits. Claims 1-31 read on species 1.

Independent Claims 1, 16, 25, and 30 each contain at a minimum a limitation which corresponds to "selecting a value based on characteristics of structures on the substrate" and read on species 1.

In claim 1 the limitation "selecting a value for one or more chemical or physical properties for a pad to be used in chemical mechanical planarization of the substrate based on the obtained one or more characteristics of the structures on the substrate" corresponds to species 1.

In claim 16 the limitation "selecting a value for one or more chemical or physical properties for a pad based on the simulation" corresponds to species 1.

In currently amended claim 25, the limitation "selecting a value for one or more chemical or physical properties of the pad to compensate for pattern density effects of the different chip or substrate architectures and optimizing the pad for a derived planarization length, response characteristics for dishing and/or erosion or final step height at specific pattern features to attain local and global planarization of the chip or substrate." corresponds to species 1.

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In claim 30, the limitation "wherein a value for the one or more chemical or physical properties is selected based on one or more characteristics of the chip" corresponds to species 1.

The remaining claims 2-15, depend from claim 1; claims 17-24, depend from claim 16; claims 26-29, depend from claim 25; and claim 31, which depends from claim 30, correspond to species 1 for at least the reason that they depend from a claim which reads on species 1.

Interview with Examiner

The Applicants express their gratitude for the interview with Examiner Marina Rachuba on November 17, 2005. The time and consideration of the Examiner is greatly appreciated.

The substance of the interview is hereby made of record as directed by MPEP § 713.04. The interview took place on November 17, 2005 at 11:00 am Pacific Standard Time via telephone. Examiner Marina Rachuba, Agent of Record, Robert Cerpa, and the undersigned Agent participated.

No exhibits were shown and no demonstrations were conducted. Claims 1, 16, and 25 were discussed. No art was discussed. Claim 25 was identified as likely to be amended to clarify that claim 1 is generic to claim 25. The general thrust of the principal arguments was that claim 1 is generic to claims 16 and 25. The examiner agreed that claim 1 is generic to claims 16 and 25 and also confirmed that species 1, selecting a value based on characteristics of structures on the substrate, can be elected as a species for prosecution.

Examiners interview summary

In the interview summary drafted by the examiner, the examiner states in her interview summary that claims 1, 16, and 25 are generic. The applicants wish to note that claim 1 is generic to claims 16 and 25.

Applicant's election is made without prejudice.

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An action on the merits of all the claims and a Notice of Allowance thereof are respectfully requested.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 577182000100. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: December 7, 2005

Respectfully submitted,

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